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INTELLECTUAL PROPERTY LAW
(PATENT, BIOTECHNOLOGY, COMPUTER,
TRADEMARK & TRADE SECRET LAW)

November 21, 2001

Docket No.: D6338CIP

The Honorable Commissioner of Patents
BOX PATENT APPLICATION
Washington, DC 20231

Dear Sir:

Transmitted herewith for filing is the continuation-in-part patent application which claims benefit of priority of U.S. Serial No. 09/260,743, filed March 1, 1999.

Name of: **Cleveland, Florrye and Harmon, Leigh**
For: ***Multiple Use Non-Species Specific Genetic Material Collection and Storage Kit***

CLAIMS AS FILED

<u>Fee for:</u>	<u>Small entity</u>	<u>Amount</u>
Basic fee	\$ 3 7 0	\$ 3 7 0
Each independent claim		
in excess of 3 (0)	\$ 42	
Each claim excess of 20 (0)	\$ 9	
Multiple dependent claim		
TOTAL FILING FEE		\$ 3 7 0

☒ Please charge my Deposit Account No. 07-1185 in the total amount of the filing fee and the assignment recordation fee if any.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1185.



20010302 1002 U.S. PTO 10/034292



- ☒ Any additional fees under 37 CFR 1.16.
☒ Any application processing fees under 37 CFR 1.17.

☒ Small Entity Statement

Applicants hereby claim small entity status under 37 CFR 1.27(c) as a small business.

☒ Relate Back--35 U.S.C. 120

This continuation-in-part application claims benefit of priority of the non-provisional application U.S. Serial No. 09/260,743, filed March 1, 1999.

☐ Assignment

The application is assigned by the inventors to the_____.

☐ Sequence Listing

The sequence listing is enclosed, including a paper copy, a copy on disk for the computer readable form and a compliance letter indicating that the sequence listing on the paper copy and the disk are one and the same.

☒ Power of Attorney


☒ is attached.

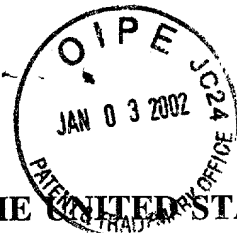
☒ Address all future communications to:

Benjamin Aaron Adler
ADLER & ASSOCIATES.
8011 Candle Lane
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(713) 270-5391
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☒ Two photocopies of this sheet are enclosed.

Date: Nov 21, 2001


Benjamin Aaron Adler, Ph.D., J.D.
Counsel for Applicant
Registration No. 35,423



JAC/s

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Cleveland & Harman § ART UNIT: 1655
§
FILED: March 1, 1999 §
§
SERIAL NO.: 09/260,743 § EXAMINER:
§ Johannsen, D.
§
FOR: Multiple Use Non-Species §
Specific Genetic Material § DOCKET:
Collection and Storage Kit § D 6338

The Honorable Commissioner of Patents
BOX DAC
Washington, DC 20231

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Dear Sir:

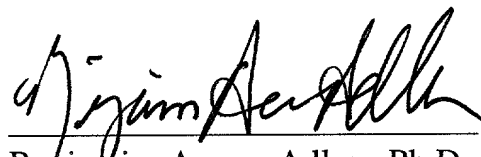
I hereby certify under 37 CFR 1.8 that the following correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to The Honorable Commissioner of Patents, Washington DC 20231.

- 1) Petition to Revive (2 pages);
- 2) Transmittal Letter;
- 3) Continuation-in-part application and two drawings;
- 4) 2 Combined Declarations & Powers of Attorney; and
- 5) Return postcard.

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

Date: Nov 21, 2001
ADLER & ASSOCIATES
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Benjamin Aaron Adler, Ph.D., J.D.
Counsel for Applicant
Registration No. 35,423

20010121 2624E001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Cleveland & Harman § ART UNIT: 1655
§
FILED: March 1, 1999 §
§
SERIAL NO.: 09/260,743 §
§
FOR: Multiple Use Non-Species §
Specific Genetic Material §
Collection and Storage Kit § DOCKET:
D6338



The Honorable Commissioner of Patents
BOX DAC
Washington, DC 20231

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

Dear Sir:

The above-referenced application became abandoned on January 13, 2001 for failure to provide a Response to the Office Action mailed October 12, 2000, which set an extendable shortened three month statutory period for response.

The abandonment of the above-referenced application and the entire delay, from the date of the abandonment to the filing of this Petition to Revive, was unintentional.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.


Applicants enclose herein a Transmittal Letter for Continuation-in-Part Application under 37 C.F.R. 1.53(b) along with the application and Combined Declarations and Powers of Attorney in lieu of a Response to the Office Action mailed October 12, 2000. Applicants

further request that the \$640 Revival fee under 37 C.F.R. 1.17(m)(1), the \$370 filing fee under C.F.R. 1.16(a), and any additional fees that may be due be debited from the standing account of Adler & Associates, Deposit Account 07-1185, on which the undersigned is allowed to draw.

Applicant believes that this Petition is complete. If any questions remain, Applicant requests that the Examiner contact Applicant's counsel, named below, at 713/270-5391 for quick resolution.

Respectfully submitted,

Date: Nov 21, 2001
Adler & Associates
8011 Candle Lane
Houston, TX 77071
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Benjamin Aaron Adler, Ph.D, J.D.
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